FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance for the property located at 719 Old North Point Road near the intersection of Eastern Avenue and North Point Boulevard in the eastern section of Baltimore County. The Petitioner seeks relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) nearly as large as the principal dwelling with a height of 17.6 ft., in lieu of an accessory structure subordinate in area to the principal structure with a maximum height of 15 ft. The relief requested is more particularly shown on Petitioners' Exhibits Nos. 1 and 2, the site plan and elevation drawing, respectively.

Appearing at the public hearing held for this case was the Petitioner/property owner, Jesse Wilson, Jr. Also appearing on behalf of the Petition was Edwin L. Smith, an engineer/surveyor who prepared the site plan and elevation drawing. Also participating were Stephanie Rostek and Patricia C. Myers, residents of the area. The Petitioner was represented by Ralph Rothwell, Esquire. Mr. Leonard Wasilewski, a Zoning Inspector with the Office of Zoning Administration and Development Management was also present.

Mr. Smith testified and presented the plan. He stated that he is a Registered Surveyor and Licensed Engineer in the State of Maryland. He

noted that the subject site is .182 acres in area and is zoned D.R.16. It is served by public water and sewer. Presently, the site is improved with a dwelling on the front of the parcel and an existing garage which is located behind said house. Mr. Smith further testified that he has field measured the structures located on the property. By his computation, the existing dwelling is 1,174 sq. ft. in area. The garage, without considering the attached deck, is 988 sq. ft. and even with the attached deck (180 sq. ft.) measures 1,168 sq. ft. total.

These measurements are significant in view of the requested relief and definition of accessory structure contained in Section 101 of the B.C.Z.R. That definition provides, in part, that an accessory structure must be subordinate in area to the principal structure. Clearly, based on these measurements, the garage is indeed accessory from a square footage standpoint.

Mr. Smith also computed the height of the garage to be 17.6 ft. This dimension was measured from the plane created by the peak of the roof to the highest point of natural topography at the base of the structure. The record will reflect that I noted at the hearing that Mr. Smith's method in computing the height may have been incorrect. However, subsequent to the hearing, I reviewed the Zoning Commissioner's Policy Manual and case law as it relates to the determination of a buildings height. Page 1-8 of the policy manual and the opinion in case No. 93-204SPH are applicable to the subject case. After reviewing those sources, I stand corrected and agree that Mr. Smith's method of computation is correct. Thus, the variance requested is, indeed, accurate, namely, a variance of 2.76 ft. is necessary to permit an existing garage of 17.6 ft., in lieu of the required 15

Also testifying at the public hearing was Patricia C. Myers, who resides across the street from the subject property at 714 Old North Point Road. She noted that the subject property was formerly owned by her mother and she lived on the property for some time. She explained that the existing house has remained unchanged for many years. Further, there has always been a garage located behind the house. She also testified that, due to the sloping topography of the lot away from North Point Road, the garage is not visible from her house.

Lastly, the Petitioner, Jesse Wilson, Jr., testified. He noted that he has owned the subject property since March of 1988 and has made many improvements to the site since then. He produced copies of a number of permits which describe much of the work which has been undertaken. He advised that he is in the process of expanding the garage and thus needs the requested variances. The expansions will make the building longer, although the same width will be retained. Also, a second floor will be added so as to increase the height to 17.6 ft. He noted that the existing dwelling is quite small and that the expansion of the garage is necessary to accommodate storage of motor vehicles and household items. He testified that he would not be using the garage for any commercial purposes and there would be no dwelling unit within the garage. Further, he testified that it was not until after he had obtained the necessary permits that he was made aware that a variance was needed. In his view, strict compliance with zoning regulations would be a significant practical difficulty in view of the existing work which has already been performed and the storage needs set forth above.

> As noted above, also participating in the hearing was Leonard Wasilewski, Zoning Inspector for Baltimore County. Mr. Wasilewski noted

the lengthy history of the site as it related to zoning violations. It appears that Mr. Wasilewski is not as much concerned about the specific variances, but about the potential use of the property. Specifically, he is concerned that the property should not be used for commercial purposes and should be so maintained in such a manner so as not to be detrimental to the neighborhood.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for ar area variance, the Petitioners must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

As to the requested height variance, I am persuaded from the testimony and evidence presented that if the variance is granted, such use of the property, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good. Further, Messrs. Smith and Wilson's testimony was persuasive that a denial of the variance would constitute a practical difficulty upon the Petitioner. Clearly, special circumstances or conditions exist which are peculiar to this site

and the height requirements from which the Petitioner seeks relief will unduly restrict the use of this property for an otherwise permitted purpose. Further, I find that the granting of the variance will not cause any injury to the public health, safety and general welfare. Thus, the Petition for Variance to permit a height of the garage of 17.6 ft., in lieu of the required 15 ft., will be granted.

As to the other variance, from Section 101 of the B.C.Z.R., I find same to be unnecessary and, therefore, moot. As noted above, the garage, even with the proposed improvements, is subordinate in area to the existing dwelling and is, therefore, accessory by definition from that standpoint. Further, as noted at the hearing, the definition of accessory structure in Section 101 provides that the accessory structure must also be subordinate in purpose. The stated purposes of the garage is for storage of household items, motor vehicles and the like which is, clearly, incidental to the use of the property as a residence. Further, use in this manner clearly contributes to the comfort, convenience and necessity of the property owner as provided in Section 101 of the B.C.Z.R. Thus, the garage fits the definition of accessory structure and a variance is not needed. To the contrary, to grant a variance from the definition in Section 101 might be to imply that the accessory structure does not comply with the definition and can be used in a manner different than as proposed.

This logic falls in line with Mr. Wasilewski's concerns and will be reflected in restrictions which I will attach to my Order. That is, a variance is not necessary for the Petitioner to use the garage for the purposes enumerated during his testimony. It is proper for him to keep and restore his personal vehicles and household items on the subject property. Moreover, this Order does not permit the Petitioner to use the

garage for commercial purposes, or permit a conversion of the garage for dwelling purposes. Thus, in sum, the Petitioner may complete construction of the garage in the manner proposed, to the physical dimensions proposed, and use same in accordance with the stated purposes set forth in his testi-However, there shall be no conversion of the garage for dwelling purposes, nor utilization of the structure for commercial endeavors.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted, in part.

THEREFORE, IT IS, ORDERED by the Zoning Commissioner for Baltimore County this 27 day of My. 1993 that a variance from Section 101 of the B.C.Z.R. for an accessory tructure subordinate in area to the principal structure with a maximum height of 15 ft., be and is hereby MOOT; and, IT IS FURTHER ORDERED that a variance from Section 400.3 of the B.C.Z.R. to permit an accessory structure (garage) nearly as large as the principal dwelling with a height of 17.6 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. Also, the Petitioner shall not allow or cause the accessory structure to be utilized for commercial means.

3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissioner for Baltimore County

LES:mmn

SINGO FOR

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue

May 26, 1993

(410) 887-4386

Ralph K. Rothwell, Jr., Esquire 7508 Eastern Avenue Baltimore, Maryland 21224

> RE: Case Nos. 93-275-A Petition for Variance Jesse Wilson, Jr., Petitioner

Dear Mr. Rothwell:

Towson, MD 21204

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:mmn

cc: Mr. Jesse Wilson, Jr. Ms. Patricia Myers Mr. Edwin L. Smith

SCEIVED FOR FILING

SON THE THE SON THE SO



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 719 Old North Point Road, Baltimore, MD 21224 which is presently sensed D.R. 16

This Polition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 101 (BCZR) (Definition of Accessory Structure) and 400.3 (BCZR) to permit an accessory structure

accessory structure subordinate in area to the principal structre with a maximum height of 15 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty). Owner has been attempting by himself to improve property which when purchased was in an extremely poor and dilapidated condition. Owner owns substantial amounts of personal property and has a need for storage of that personal property and automobiles and has by hand and by himself constructed a structure which includes additions to the garage to beautify the neighborhood and enable him to store various personal property out of sight of neighbors and the street. Failure to obtain a variance makes it impossible for him to complete his renovations and

(garage) nearly as large as the principal dwelling with a height of 17.6 ft. in lieu of an

hardship and practical difficulty on the Owner.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

to store the personal property for which he has no other place for said storage, thereby working a substantial

			Whe do eptemnly decisive and affirm, under the penalties of perjury, that I/we are the tegal gunarity of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s):
			Jesse Wilson, Jr.
(Type or Print Name)			(Type or Price Name) (Oscie (D. Los 4)
Signature			Signature
Address			(Type or Print Name)
Caty	State	Zipcode	Signature
Ralph K. Roth	well. Jrw7		
Rype or Print Name)			Address Phone No
Constitute of the Constitution of the Constitu	E) f(AM)		City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
,			Ralph K. Rothwell, Jr.
Addiess	Phone	No	7508 Eastern Avenue, Baltimore, MD 2122
City	Shue	Zucode	Address (410) 282-2700

Joning Commissioner of Baltimore County

ESTIMATED FOSTING DATE

____ in support of Administrative Variance

The undersigned hereby affirms under the possition of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is acheduled in the future with regard thereto.

That the Affinet(s) does/do presently reside at 719 Old North Point Road Baltimore, Maryland 21224

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: Anthony hardely or prested different

I purchased the property in an extremely dilapidated condition of disrepair and have been attempting by myself and with the use of my own labor to improve it. I need the storage capacity which the new garage will give me in order to get personal property, vehicles and hoats out of sight of the neighbors and the street. I have obtained the necessary hulding permits and undertook to do the work. I was never informed by anyone in the building permits operation of the need for any sort of variance. All the permits were approved and I have completed the essential structure. If the variance is not granted which was brought to my attention after the permits were obtained and after construction had begun and was substantially completed, it will be necessary for me to remove the building or major portions of it to comply with Zoning. Both the removal and the need to find additional areas for storage would work a great hardship troop me and cause appears which I am unable to find additional areas for storage would work a great hardship upon me and cause expense which I am unable to handle. It would probably put me in bankruptcy.

That Affiant/e) arknowledge/e) that if a	rentest is filed. Affiant(s) will b	pe required to pay a reposting and advertising fo
ray be required to provide additional inf	ormation.	c requires to pay a reposting and advertising to
1 / > 0		
Vesse Witzon		
waaand /	(424 + K21)	(olgnature)
Jesse Wilson, Jr.		

Jesse Wilson, Jr. the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made nath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal

I HEREBY CERTIFY, this 5th day of January . 19 93 , before me, a Notary Public of the State

of Maryland, in and for the County aforesaid, personally appeared

CERTIFICATE OF POSTIM DEPARTMENT OF BALTIMORE COUNT

Posted for: Veriance	Date of Posting 3/3/93
Potitioner: Jesse Wilson J	<i>y</i>
Location of property: N/S 2/11 N 71/	24 (119) 120' W/comen How
Location of Signer Ficing You Way	on Prisonly of Politica
	The state of the s
Remarks:	
Posted by MESTonly	
Mind by	Date of return: 3/5/93

recess, maryland		
District 157-17	Date of Posting 1/27/93	
Posted for:	/	
Petitioner: Jesse Wils	5022 521	
Location of property: N/S (719) 0	Date of Posting 4/27 /93 Son Fr. 1d N. 77. Rd. , 120' W/Conox Ar.	
	way you properly of letitioner	
Remarks:		
Posted by Malale	Date of return: 1/30/93	
	/	

Case: #69-678-A (hors 200) 719 Chi North Point Ross 195 Chi North Point, 120' W of Casean Assesse 18th Election Classics Sh Coundinaries Puttlemer(s): James Wilson, Jr. Hearing Taxanton, Siny 16, 1989 at 9:50 a.s. 1978. 114, Chi Casarbasse.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ______

weeks, the first publication appearing on Gpul 15, 1993.

THE JEFFERSONIAN.

PROME MASLAN, MASLAN + ROTHWELL

719 OLD N. FONTRD N. SIDE OLD N. PT. RD 120' WEST OF CHASON ME.

ADMIN. VARIANCE FILING

BALTIMORE COUNTY, MARYLA OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

ETHE ISTHED. OWNER JESSE WILSON VR.

E-14.5

taliese1

PAID PER HAND-WRITTEN RECEIPT 2/22/93

H9300292 PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL) 080 -POSTING SIGNS / ADVERTISING 1 X \$35.00 LAST NAME OF OWNER: WILSON, JR.

111 West Chesapeake Avenue

Towson, MD 21204

cc: Jesse Wilson, Jr. Ralph K. Rothwell, Jr., Es Honorable Donald C. Mason

Baltimore County Government Office of Zoning Administration and Development Management

ZONING DESCRIPTION for 719 Old North Point Road.

Point Road and located in the 12th Election District.

ments being known as No. 719 Old North Point Road.

property adjoining to the southeast.

As recorded in Deed Liber 7822, Folio 121.

BEGINNING at a point on the East side of Old North Point Road

BEING lot #(\mathbb{N} A), Block #(\mathbb{N} A) in the subdivision of

as recorded in Baltimore County Plat Book #(NA),

which is 30' wide at the distance of 120 FT, WEST of THE centerline of the

Folio #(NA), containing 7,680 Square feet. Also known as 719 Old North

BEGINNING for the same at a point in the given line of land described in a deed from Sarah Ann Riddel to William W. Riddell and wife dated July 18, 1898, and recorded among the Land Records of Baltimore County in Liber N.B.M. No.237, folio 438, at a distance of 453 feet north 71 degrees 25 minutes west from a stone heretofore planted at the beginning of said line; thence with and bounding on said line north 71 degrees and 25 minutes west 40 feet thence south 18 degrees west 192 feet to the North Point Road thence running with and bounding on the east side of the said road south 72 degrees east 40 feet; and thence north 18 degrees east 193 feet to the place of beginning. The improv

TOGETHER with and subject to the use of a driveway 12 feet wide leading from the

North Point Road to the rear of the lot of ground herein described and the rear of the

parcel of land lying to the southeast thereof, nine feet of which driveway borders along

the northern most outline of the lot of ground adjoining to the southeast, said driveway

to be used in common by the owners of the property hereby conveyed and the owners of the

nearest improved intersecting street, CARSON AVE, which is 20' wide.

APR. O 9 1983

(410) 887-3353

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesspeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows

NOTICE OF HEARING

CASE NUMBER: 93-275-A (Itam 292) 719 Old Worth Point Road M/S Old North Point, 120' W of Carson Avenue 15th Election District - 5th Councilmenic Petitioner(s): Jesse Wilson, Jr. HEARING: TUESDAY, MAY 18, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit an accessory structure (garage) nearly as large as the principal dwelling with a height of 17.6 ft. in lieu of an accessory structure subordinate in area to the principal structure with a maximum height of 15 ft.

HOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

Baltimore, MD 21224

(410) 887-3353

March 12, 1993

Ralph K. Rothwell, Esquire 7805 Eastern Avenue

> RE: Case No. 93-275-A, Item No. 292 Petitioner: Jesse Wilson, Jr. Petition for Administrative Variance

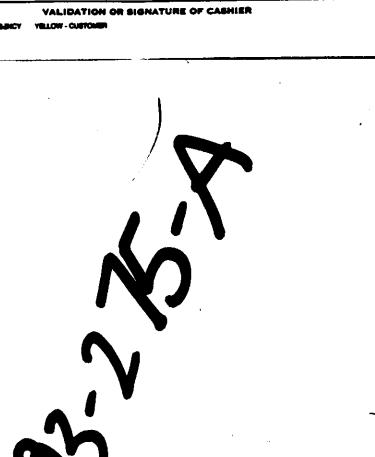
Dear Mr. Rothwell:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 16, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



O. James Lighthizer Hal Kassoff Administrator

3-1-93

Ms. Julie Winiarski Zoning Administration and **Development Management** County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Baltimore County Item No.: * 292 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief Engineering Access Permits

My telephone number is 410-333-1350

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration &

Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: 719 Old North Point Road

292

DATE: March 4, 1993

INFORMATION:

Item Number:

Property Size: Zoning:

Hearing Date:

The Office of Planning and Zoning has no objection to the requested variance, however, a restriction should be placed in the order prohibiting any living quarters, kitchen or bathroom facilities in the garage and limiting storage to the personal property of the occupants of the principal dwelling only.

Division Chief

PK/JL:lw

797 780/7801

43-275-A 3-2243

Baltimore County Government Fire Department

MARCH 11, 1993

700 East Joppa Road, Suite 901 Towson, MD 21286 5500

(410) 887-4500

Arnold Jablon Director Zoning Administration and

Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: JESSE WILSON, JR.

#719 OLD NORTH POINT ROAD

Item No.: *292 (JLL) Zoning Agenda: MARCH 1, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

JP/KEKH

Printed on Recycled Paper

Da 1



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl W. Richards Zoning Coordinator March 4, 1993

FROM: James H. Thompson -LJW

Zoning Enforcement Coordinator

Petitioner: JESSE H. WILSON

VIOLATION CASE # C-91-2554, C-93-935

DISTRICT COURT CASE #CV-92-29

LOCATION OF VIOLATION 719 OLD NORTH POINT ROAD

DEFENDANT JESSE H. WILSON

ADDRESS SAME

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

COUNCILMAN DON MASON

Lenny Wasikusk to testity per Drukt. Jablan

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

Zoning Administration & Development Management 111 West Chesapeake Avenue Towson Maryland 21204 (410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Honorable Donald C. Mason DATE: March 4, 1993 Councilman, 7th District

Leonard Wasilewski Zoning Inspector Zoning Enforcement Office

SUBJECT: 719 North Point Road District Court Case No. CV 92-29 Case Nos. C-91-2554 and C-93-935

Variance 93-275A, Item #292

Please be advised that the above-listed property owner has applied for an administrative variance for his garage height and size. Unless someone protests, he may receive this variance without a public hearing. Additionally, as you well know, your constituent who originally complained has been seriously harassed by Mr. Wilson and may be afraid to protest.

LW/cmm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

John Reisinger **Buildings Engineer**

Laurence J. Goetz

November 4, 1992

Planner II

BUILDINGS ENGINEER BALTIMORE COUNTY

SUBJECT: 719 OLD NORTH POINT ROAD BUILDING PERMIT NOS: B088754, B137587, B143495

The zoning office rescinds approval on the above three (3) referenced building permits on 719 North Point Road.

Permit No. B088754 for an addition to a one-story garage was approved over the phone from a branch office for a height of 18 ft. This was either an error, oversight or based on the applicant's information that the original building was 18 feet high which was not the case.

Permit No. B137587 for completion of a roof on addition to the existing garage for storage of vehicles. This in fact created a second story and was submitted at a branch office approved in Towson based on no change in setbacks from original Permit No. 088754 (with no site plan required or submitted).

Permit NO. B143495 for construction of a concrete patio on the side of a garage with roof. was approved over the phone from a branch

The zoning on the permits listed are B.L., D.R.5.5 and D.R.5.5, respectively. The zoning, however, is D.R. 16.

In addition, this property is the subject of a zoning enforcement case (No. C91~2554) for the following alleged violations:

> 1) Unlicensed motor vehicle 2) Inoperative motor vehicle

3) Junk Yard 4) Open Dump

5) Service Garage

Memo - John Reisinger Page Two November 4, 1992

93-215-A 3/22/93

TO: Mr. Arnold Jablon, Director

Development Management

FROM: J. Lawrence Pilson

SUBJECT: Zoning Item #292

JLP:rmp

Attachment

ZNG.292/DCRMP

Zoning Administration and

Development Coordinator, DEPRM

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Wilson (Jesse) Property, 719 Old North Point Road Zoning Advisory Committee Meeting of March 1, 1993

offers the following comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

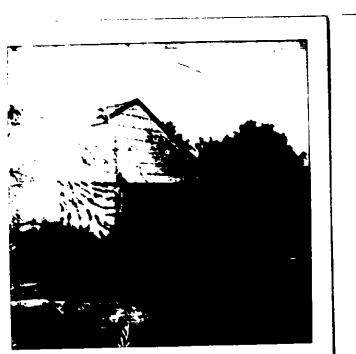
DATE: March 22, 1993

Since the applicant is allegedly still in violation, a request was made to the court concerning violation case CV 92-29 to have the previously granted decision (probation before judgement) be revoked and the verdicts of guilty be entered against the defendant and that the \$500.00 fine be reinstated.

Therefore, we recommend these permits be rescinded. Variances for height (18 feet) and size (for an accessory building larger than the principal structure) must then be filed with the zoning commissioner in order to determine the merits of this case.

LJG/cmm

c: Inspector Wasilewski





10/29/92

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(410) 887-3353

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

John Reisinger Building Engineer DATE: August 6, 1993

Catherine A. Milton

Planner I 🔱 SUBJECT: Permit Numbers: B137587, B143492 and B147969

Zoning Case 93-275-A granted a variance to allow an accessory structure with a height of 17.6 feet, as such this office is requesting reinstatement of zoning approval for permits B137587 and B143492.

Since the dimensions of the deck were reduced to 12 feet by 15 feet in the zoning order (via approved site plan) permit B147969 must be changed to reflect the allowed dimensions.

Should you have questions regarding the above, I may be contacted at extension 3391.

c: Mr. Jesse Wilson 93-275-A

NOTES

Baltimore County Government Department of Permits and Licenses

111 West Chesapeake Avenue Towson, MD 21204

November 6, 1992

(410) 887-3610

and the second of the second o

Mr. Jesse Wilson 719 Old North Point Road Baltimore, Maryland 21224

> Re: Permit Suspension B088754, B137587 and B143495 719 Old North Point Road

Dear Mr. Wilson,

Based on information we have received from the Zoning Office, Permits #B088754, B137587 and B143595 are hereby suspended. All work on the project must cease. For further information please contact Mr. Lawrence J. Goetz in the Zoning Office at 887-3391.

Very truly yours,

cc: Lawrence Goetz correspondence and Development Management

(410) 887-3353

Jesse Wilson, Jr. 719 Old North Point Road Baltimore, Maryland 21224

Re: CASE NUMBER: 93-275-A

Dear Petitioners:

111 West Chesapeake Avenue

Towson, MD 21204

Please be informed that your file has been reviewed. The Commissioner's Office did not grant or deny the requested relief. Instead it was determined that this matter be scheduled for a public hearing.

Baltimore County Government

March 25, 1993

Office of Zoning Administration

As this case is no longer being processed administratively, it must go through the normal hearing process. The property will be reposted and notice of same will appear in a newspaper of general circulation. As you were previously informed, the petitioner is liable for the posting and advertising costs incurred relative to the public hearing.

Formal notification of the hearing date will be forwarded to you

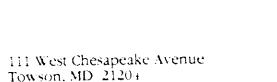
Very truly yours,

ARNOLD JABLON DIRECTOR

cc: Ralph K. Rothwell, Jr., Esq.



Baltimore County Government Office of Zoning Administration and Development Management



February 26, 1993

Jesse Wilson, Jr. 719 Old North Point Road Baltimore, Maryland 21224

Re: CASE NUMBER: 93-275-A (Item 292) N/S Old North Point Road, 120' W of Carson Avenue 719 Old North Point Road 15th Election District - 5th Councilmanic Petitioner(s): Jesse Wilson, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before . The closing date () is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public

2) In cases requiring public bearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Printed on Recycled Paper

Saudin Old, Or OFFEALANT PHONE PAGE 2 OF 2 PANEL BP1018M TIME: 13:29:50 AUTOMATED PERMIT FRACKING SYSTEM LAST UPDATE 07/27/92 DATE: 11/04/92 APPROVALS DETAIL SCREEN PLO 07:47:59 PERMIT #: B137587 AGENCY CODE COMMENTS come come unit and a man come define other and a transformer and a ZORING 07/24/92 01 LG PUB SERV 07/21/92 01 WDD FERMITS 07/27/92 01 DAS/MR 01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL" sail gree ties can about greep band been bead both man ball greep when south sail comp tall type, et il ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT CLEAR -- MENU APPLICATION FOR BUILDING PERMIT PERMIT #: 8143495 CONTROL #: MR DIST: 15 PREC: 01 LOCATION: 719 OLD N POINT RD SUBDIVISION: NES OLD NORTH PT RD TAX ASSESSMENT #: 1519850150 OWNERS INFORMATION NAME: WILSON JR., JESSE ADDR: 719 OLD N POINT RD - 21224 APPLICANT INFORMATION NAME: WILSON JR., JESSE COMPANY: OWNER ADDR1: 719 OLD N POINT RD ADDR2: BALTO., MD. 21224 PHONE #: 284-8915 LICENSE #:

DIST: PREC: 01 LOCATION: 719 OLD N POINT RD SUBDIVISION: LT NES OLD NORTH IT RD TAX ASSESSMENT #: 1519850150 OWNERS INFORMATION NAME: WILSON, JESSE ADDR: 719 OLD NORTH FOINT RD 21224 APPLICANT INFORMATION NAME: JESSE WILSON COMPANY: OWNER ADDR4: 719 OLD NORTH POINT RD ADDR2: BALTO., MD 21224 THONE #: 284-8915 LICENSE #: PLANS: CONST 0 PLOT 4 R PLAT 0 DATA 0 ELEC NO PLUM NO CONTR: OWNER ENGNR: SELLR: CONSTRUCT ONE STORY ADDITION ON SIDE OF EXIST. DETACHED 2 CAR GARAGE. TO BE USED AS UTILITY AREA, 22' X 10' X 18' EX-22' X 25' X 18' OVERALL 22' X 35' X 18' =770 SF NOT IN CRITICAL AREA. DUNDALK, M.A.G. PROPOSED USF: S.F.D. AND GARAGE/ADDITION EXISTING USE: S.F.D. AND GARAGE BLDG. CODE: 1 AND 2 FAH. CODE RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED ESTIMATED COST OF MATERIAL AND LABOR: 2.000.00 TYPE OF IMPRY: NEW BUILDING CONSTRUCTION USE: GARAGE FOUNDATION: BASEMENT: SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST CONSTRUCTION MASONRY CENTRAL AIR: SINGLE FAMILY UNITS TOTAL 1 FAMILY REDROOMS MULTI FAMILY UNITS EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 2 REDRUOMS: NO. OF 3 BEDROOMS OR MORE: TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS PERMIT #: 8088754 DIMENSIONS - INSTALL FIXTURES

PAGE 1 OF 2

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COMMISSIONER * IN THE
Jesse H Wilson JR. Case No. 1730-91 5P/7 719 Old NP Rd. File No. 92-29
SUMMARY OF CASE This case proceeded to trial on the 4 day of 1992
before Judge Garnier. Representing Baltimore County was
Assistant County Attorney fee Thomas. The
disposition of this case was as follows:
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•	•	Z	ONING INSPI	ECTOR

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET		
NAME	ADDRESS	
Jesse Wilson Rextel	719 OCD BEATH POINTAGE THELT BENT ROL Salt MARIES 1020 B 1 St Bit MOO	
Leonori Washush	1020 Boyd St. Bulto. MD2 Lietto County Goo III W Chesinfrake	
		
		

